

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 25, 2010

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, P.J., Rothschild, J., Chaney, J., Johnson, J. and S. Stahl, Deputy Clerk.

Each of the following:

B217176 Green v. Soisuvarn
B222363 Jordan Emiston Group v. SSN Holdings

Argument waived, cause submitted.

B218617 Heller
 v.
 Restoration Hardware, Inc.

Merits:
Argued by Mitch Kalcheim for appellant and by David McDowell for
respondent. Cause submitted.

B218617 Narcisco
 v.
 City of Whittier, et al.

Merits:
Argued by Donald W. Cook for appellant and by Jon Hamilton for
respondents. Cause submitted.

DIVISION ONE (continued)

B213922 Martin
 v.
 Cruz

Merits:
Argued by David Rosenbaum for appellant and by David L. Hoffman for respondent. Cause submitted.

B219720 Erez
 v.
 Erez-Kdosa

Merits:
Argued by Alan Abergel for appellant and by Brian Glicker for respondent. Cause submitted.

Chaney, J. leaves the bench.

B207417 McCall
 v.
 Safety Consultant Services, Inc.

Merits:
Argued by Philip J. Ganz, Jr. for appellant and by Margaret M. Holm for respondent. Cause submitted.

Court adjourned.

DIVISION THREE

B213691 People (Not for Publication)
v.
Dominguez, et al.

The judgments are affirmed.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

B222198 People (Not for Publication)
v.
J.V.

The maximum term of confinement set by the court is stricken. In all other respects, the judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B222057 People (Not for Publication)
v.
Garner

The judgments are affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION FOUR

B214618 People (Not for Publication)
v.
Bailey, et al.

The judgments are affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Manella, J.

B220142 Veirup (Not for Publication)
v.
Abraham

The order is affirmed.

Suzukawa, J.

We concur: Willhite, Acting P.J.
Manella, J.

B214585 People v. Womack (Not for Publication)

The judgment is affirmed.

Willhite, Acting P.J.

We concur: Manella, J.
Suzukawa, J.

August 25, 2010 (Continued)

DIVISION FOUR (continued)

B218392 People (Not for Publication)
v.
Boss

The judgment is affirmed.

Willhite, Acting P.J.

We concur: Manella, J.
Suzukawa, J.

B217615 Giacometti, et al. (Certified for Publication)
v.
Aulla, LLC, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Epstein, P.J.

We concur: Manella, J.
Suzukawa, J.

DIVISION FIVE

B210933 Mack Film Development LLC (Not for Publication)
v.
Grant Johnson et al

The judgment is affirmed. Respondent(s) to recover costs.

Kriegler, J.

We concur: Turner, P.J.
 Armstrong, J.

August 25, 2010 (Continued)

DIVISION FIVE (continued)

B221287 People (Not for Publication)

V.

Thomas Owen

The judgment is reversed.

Turner, P.J.

We concur: Kriegler, J.

Kumar, J. (Assigned)

B219130 Amusement Industry Inc. (Not for Publication)

V.

Benny Newman

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Armstrong, J.

Mosk, J.

B221590 People (Not for Publication)

V.

Kenneth Pearson

The December 22 2009 order granting the amended habeas corpus petition is affirmed. Upon remittitur issuance, the trial court is to order the Governor to reconsider the February 8, 2007 reversal of the September 15, 2006 decision to parole the inmate in light of the Shaputis and Lawrence decisions. The reconsideration decision is to be made in light of the facts as they existed on September 15, 2006.

Turner, P.J.

I concur: Kriegler, J.

Mosk, J. (opinion)

DIVISION SIX

B220437 People (Not for Publication)
v.
Tejada

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B215732 Shears (Not for Publication)
v.
County of San Luis Obispo

We affirm the judgment entered for the County following the denial of Shears's administrative mandamus petition. We reverse the ruling that the County waived the statute of limitations. Costs on appeal are awarded to the County.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B217074 Todd Edwards
v.
California Employment Development Department, et al.

Filed order denying petition for rehearing.

DIVISION SEVEN

B211909 People
 v.
 Heriberto Garcia
 Eva Daley

Filed order denying petition for rehearing.